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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,312	03/12/2004	Juan Carlos Martinez	07781.0156-00	1750
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EXAMINER				
SHU, HO T				
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2457				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary**Application No.**

10/800,312

Applicant(s)

MARTINEZ ET AL.

Examiner

HO SHIU

Art Unit

2457

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 December 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11, 13, 15-33, 35 and 37-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11, 13, 15-33, 35, and 37-48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-11,13,15-33,35 and 37-48 are pending in this application. Claims 12, 14, 34, 36, and 49 are cancelled. Claims 1, 23, and 45 are currently amended.

Claim Rejections - 35 USC § 112

2. Claims 11 and 33 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. With respect to claims 11 and 33, the limitation "upon change of data format, the server requests the data object definition message from the client and the client transmits the data object definition message upon request to the server" is being recited. In the preceding independent claims 1 and 23, the data object definition has already been provided to the server by the client in order to translate the data into a data format requested by the client. Since the data object definition information was previously sent to the server from the client, it is unclear why the server is asking for the data object definition message again in which fails to particularly point out and distinctly claim the subject matter and renders the claim indefinite. For examination purposes, the claim will be read as the server checking to see if the client has any changes in the change of data format. Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 1-3, 6, 8, 10-11, 13, 15, 18, 20, 22, 23-25, 28, 30, 32-33, 35, 37, 40, 42, and 44-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yogeshwar et al. (US Pub # 2003/0206717, hereinafter Yog) in view of Mundra et al. (US Pub # 2004/0032860, hereinafter Mundra).**

6. With respect to claim 1, Yog discloses a computer-implemented method and a computer readable media embodying a program for automatically configuring a translation code, the method comprising: translating data within a server into a data format required by a client using the translation code, the data having a data object definition ([0025], [0035], [0048], [0073], IAF, descriptive info and/or encoding parameters from user); transmitting the translated data from the server to the client ([0035]); automatically detecting a change in the data format requested by the client ([0113], [0117], [0118]); modifying the data object definition within the server based on the changed data format ([0113], [0117], [0118], [0145], adapt based on feedback);

receiving the changed data format from the client at the server in a data object definition message comprising information about the modified data object definition ([0117], [0118], [0145]); and automatically adapting the translation code to the changed data format upon receipt of the data object definition message ([0117], [0118], [0145]). Although, Yog discloses automatically detecting a change in the data format requested by the client, Yog does not clearly disclose detecting a change in the data format requested by the client during an exchange of data associated with the server between the server and the client.

In the same field of endeavor, Mundra discloses detecting a change in the data format requested by the client during an exchange of data associated with the server between the server and the client ([0011]). Yog and Mundra are analogous art because they disclose users requesting different formats of requested data/files.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Yog with detecting a change in the data format requested by the client during an exchange of data associated with the server between the server and the client as disclosed in Mundra in order to change the format of the requested data during transmission. One of ordinary skill in the art would have been motivated to incorporate the teachings with one another to establish a more efficient system by being able to receive requested data based on network conditions, cost considerations, desired quality, etc.

7. With respect to claim 45, Yog discloses a computer system for automatically configuring a translation code, the system comprising: translating means for translating data within a server into a data format required by a client based on the translation code, the data having a data object definition ([0025], [0035], [0048], [0073], IAF, descriptive info and/or encoding parameters from user); means for transmitting the translated data from the server to the client and receiving the change of data format with the data object definition message from the client by the server, the data object definition message comprising information about the modified data object definition; ([0035], [0113], [0117], [0118]); a modifying means for modifying the data object definition within the server based on the changed data format ([0113], [0117], [0118], [0145], adapt based on feedback); receiving the changed data format from the client at the server in a data object definition message comprising information about the modified data object definition ([0117], [0118], [0145]); and a code generator, associated with the server, that provides the translation code and which includes a subcomponent that adapts the translation code automatically to the changed data format upon receipt of the data object definition message ([0117], [0118], [0145]). Although, Yog discloses automatically detecting a change in the data format requested by the client, Yog does not clearly disclose detecting means for automatically detecting a change in the data format requested by the client during an exchange of data associated with the server between the server and the client.

In the same field of endeavor, Mundra discloses detecting means for automatically detecting a change in the data format requested by the client during an

exchange of data associated with the server between the server and the client ([0011]). Yog and Mundra are analogous art because they disclose users requesting different formats of requested data/files.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Yog with detecting means for automatically detecting a change in the data format requested by the client during an exchange of data associated with the server between the server and the client as disclosed in Mundra in order to change the format of the requested data during transmission. One of ordinary skill in the art would have been motivated to incorporate the teachings with one another to establish a more efficient system by being able to receive requested data based on network conditions, cost considerations, desired quality, etc.

8. With respect to claims 2 and 24, Yog discloses wherein the data object definition message is automatically transmitted from the client to the server upon change of the data format within the client ([0145]).

9. With respect to claim 11 and 33, Yog discloses upon change of the data format, the server requests the data object definition message from the client and the client transmits the data object definition message upon request to the server ([0113]).

10. With respect to claims 3, 15, 25, and 37, Yog discloses wherein the translation code is adapted to the changed data format within a translation code generator upon receipt of the data object definition message ([0145]).

11. With respect to claims 6, 18, 28, 40 and 46, Yog discloses wherein the data format required by the client is extracted and translated from the stored data by the translation code prior to sending the translated data from the server to the client ([0145]).

12. With respect to claims 8, 20, 30, 42 and 47, Yog discloses wherein the server provides a data object definition message format ([0073], [0122], [0130]).

13. With respect to claims 10, 22, 32, and 44, Yog discloses comprising the step of managing data formats of different clients via a version management procedure ([0031], [0073]), [0116], [0145]).

14. With respect to claims 13, and 35, Yog discloses wherein the change in the data format is detected by version identification ([0073], [0145], archive has date/time, can change the format in real-time).

15. **Claims 4-5, 16-17, 26-27 and 38-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yog in view of Mundra and in further view of Dutta et al.**

(US Patent # 6,615,212 B1, hereinafter Dutta).

16. With respect to claims 4, 16, 26, and 38, Yog and Mundra do not disclose wherein the translated data is transmitted from the server to the client using a standard object description language.

In the same field of endeavor, Dutta discloses wherein the translated data is transmitted from the server to the client using a standard object description language (col. 5, lines 43-52). Yog, Mundra, and Dutta are analogous art because they disclose users requesting different formats of requested data/files.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Yog and Mundra with wherein the translated data is transmitted from the server to the client using a standard object description language as disclosed in Dutta in order to receive and send information. One of ordinary skill in the art would have been motivated to incorporate the teachings with one another to establish a more efficient system by being able to send and receive files using a protocol that is well known in the art.

17. With respect to claims 5, 17, 27, and 39, Yog and Mundra do not disclose wherein the data object definition message is transmitted from the client to the server using a standard object description language.

In the same field of endeavor, Dutta discloses wherein the data object definition message is transmitted from the client to the server using a standard object description

language (col. 5, lines 43-52). Yog, Mundra, and Dutta are analogous art because they disclose users requesting different formats of requested data/files.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Yog and Mundra with wherein the data object definition message is transmitted from the client to the server using a standard object description language as disclosed in Dutta in order to receive and send information. One of ordinary skill in the art would have been motivated to incorporate the teachings with one another to establish a more efficient system by being able to send and receive files using a protocol that is well known in the art.

18. Claims 7, 21, 29 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yog in view of Mundra and in further view of Tamboli et al. (US Pub # 2003/0014617, hereinafter Tamboli).

19. With respect to claims 7, 21, 29 and 41, Yog and Mundra do not clearly disclose wherein the translation code uses XSL for translating the data into said the data format required by the client.

In the same field of endeavor, Tamboli discloses wherein the translation code uses XSL for translating the data into said the data format required by the client ([0066]). Yog, Mundra, and Tamboli are analogous art because they disclose changing the formats of data/files into a different format.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Yog and Mundra with wherein the translation code uses XSL for translating the data into said the data format required by the client as disclosed in Tamboli in order to translate XML documents. One of ordinary skill in the art would have been motivated to incorporate the teachings with one another in order to establish a more efficient system using XSL to translate from one XML format into another XML format since XML is a well known standard.

20. Claims 9, 21, 31, 43, and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yog in view of Mundra and in further view of Lonnroth et al. (US Patent # 6,826,597 B1, hereinafter Lon).

21. With respect to claims 9, 21, 31, 43, and 48, Yog and Mundra do not clearly disclose comprising the step of managing access to the server by the data object definition messages via an authorization management procedure.

In the same field of endeavor, Lon discloses comprising the step of managing access to the server by the data object definition messages via an authorization management procedure (col. 5, lines 21-30). Yog, Mundra, and Lon are analogous art because they disclose changing the formats of data/files into a different format.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Yog and Mundra with comprising the step of managing access to the server by the data object definition

messages via an authorization management procedure as disclosed in Lon in order to perform security checks. One of ordinary skill in the art would have been motivated to incorporate the teachings with one another in order to establish a more secure system by determining whether the client issuing the request is authorized to issue the request.

Response to Arguments

22. Applicant's arguments with respect to claims 1, 23, and 45 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HO SHIU whose telephone number is (571)270-3810. The examiner can normally be reached on Mon-Thur (8:30am - 4:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HTS
03/10/2010

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